

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND.

SEYMOUR B. STERN, ASSIGNEE *
FOR THE PURPOSE OF FORE-
CLOSURE UNDER A MORTGAGE *
FROM DEAN L. THOMAS AND
NANCY LORRAINE HIMES THOMAS, *
HIS WIFE, UNTO FREDERICKTOWN
BANK & TRUST COMPANY, A BODY *
CORPORATE

CIVIL NO. 629E

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* * * * *

MOTION FOR RESALE AND
REQUEST FOR ORDER TO SHOW CAUSE

Seymour B. Stern, Assignee for the Purpose of Foreclosure under a Mortgage from Dean L. Thomas and Nancy Lorraine Himes Thomas, his wife, unto Fredericktown Bank & Trust Company, a body corporate, by Robert J. Kresslein and Seymour B. Stern, P.A., his attorney, pursuant to Maryland Rule W74(e) (f) and Maryland Rule BR6(c), hereby move that this Honorable Court set aside the ratification of sale of the real property which is the subject of the captioned cause and issue an Order to Samuel E. Zattiero and Barbara A. Zattiero, his wife, to show cause why the expense and potential deficiency resulting from any resale should not be at their risk for grounds state as follows:

1. That on or about February 13, 1985, the Assignee did file an Order to Docket Foreclosure of Mortgage in the captioned case asserting the existence of a certain Mortgage and indebtedness secured thereby and alleging that default having to have occurred therein. Attached thereto were Statement of Indebtedness as well as a copy of an Assignment from said Mortgagee unto the Assignee herein.